UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No. BEA920030004US1

22386 U.S.PTO 10/679076 100403

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Paul E. McKenney, entitled Utilizing software locking approach to execute code upon failure of hardware transactional approach, for a(n):

(X) Original Patent Application.

( ) Continuing Application (prior application not abandoned):
( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)
of prior application No: _____ Filed on: _____.
( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:
(X) Specification; 29 Total Pages. (X) Drawing(s); 3 Total Sheets.
(X) Oath or Declaration:
(X) A Newly Executed Combined Declaration and Power of Attorney:
(X) Signed. ( ) Unsigned. ( ) Partially Signed.
( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.
( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
( ) Power of Attorney. (X) Return Receipt Postcard.
( ) Associate Power of Attorney. ( ) A Check in the amount of $_____for the Filing Fee.
( ) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.
(X) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
( ) A Certified Copy of Priority Documents (if foreign priority is claimed).
( ) Applicant claims small entity status.
(x) Other: Assignment recordation cover sheet and assignment papers.

	CLAIMS AS FILED			
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	20	0	$18.00	$ 0.00
Independent Claims	3	0	$84.00	$ 0.00
Multiple Dependent Claims (if applicable)				$0.00
Assignment Recording Fee				$40.00
Basic Filing Fee				$770.00
			Total Filing Fee	$ 810.00

Charge $810 to Deposit Account 501336 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,

By: _____
Michael A. Dryja, Attorney of Record, Reg. No.39662

Date: 10-2-2003

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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Assistant Commissioner for Patents
MS Patent Application
PO Box 1450
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By: _____

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